

use in flour maturing and bleaching; or (2) approximately 0.75 gram of hydrogen peroxide equivalent per 100 grams of the additive, plus carrier, for use in dough conditioning.

(c) It is used or intended for use: (1) In maturing and bleaching of flour in a quantity not more than sufficient for such effect; and (2) as a dough-conditioning agent in bread and roll production at not to exceed the quantity of hydrogen peroxide equivalent necessary for the artificial maturing effect.

(d) To insure safe use of the additive, the label of the food additive container and any intermediate premix thereof shall bear, in addition to the other information required by the act:

(1) The name of the additive, "acetone peroxides".

(2) The concentration of the additive expressed in hydrogen peroxide equivalents per 100 grams.

(3) Adequate use directions to provide a final product that complies with the limitations prescribed in paragraph (c) of this section.

§ 172.804 Aspartame.

The food additive aspartame may be safely used in food in accordance with good manufacturing practice as a sweetening agent or for an authorized technological purpose in foods for which standards of identity established under section 401 of the Act do not preclude such use under the following conditions:

(a) Aspartame is the chemical

1-methyl *N*-L- α -aspartyl-L-phenylalanine
(C₁₄H₁₈N₂O₅).

(b) The additive meets the specifications of the "Food Chemicals Codex," 3d Ed. (1981) pp. 28-29 and First Supplement p. 5, which is incorporated by reference in accordance with 5 U.S.C. 552(a). Copies are available from the National Academy Press, 2101 Constitution Avenue NW., Washington, DC 20418, or for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC 20408.

(c) The additive may be used as a sweetener in the following foods:

(1) Dry, free-flowing sugar substitutes for table use (not to include

use in cooking) in package units not exceeding the sweetening equivalent of 1 pound of sugar.

(2) Sugar substitute tablets for sweetening hot beverages, including coffee and tea. L-leucine may be used as a lubricant in the manufacture of such tablets at a level not to exceed 3.5 percent of the weight of the tablet.

(3) Breakfast cereals.

(4) Chewing gum.

(5) Dry bases for:

(i) Beverages.

(ii) Instant coffee and tea beverages.

(iii) Gelatins, puddings, and fillings.

(iv) Dairy product analog toppings.

(6) Ready-to-serve nonalcoholic flavored beverages, tea beverages, fruit juice based beverages, and their concentrates or syrups.

(7) Chewable multivitamin food supplements.

(8) [Reserved]

(i) Fruit juice based drinks (where food standards do not preclude such use).

(ii) Fruit flavored drinks and ades.

(iii) Imitation fruit flavored drinks and ades.

(9) Frozen stick-type confections and novelties.

(10) Breath mints, hard and soft candy.

(11) [Reserved]

(12) [Reserved]

(13) Refrigerated ready-to-serve gelatins, puddings, and fillings.

(14) Fruit (including grape) wine beverages with ethanol contents below 7 percent volume per volume.

(15) Yogurt-type products where aspartame is added after pasteurization and culturing.

(16) Refrigerated flavored milk beverages.

(17) Frozen desserts.

(18) Frostings, toppings, fillings, glazes, and icings for precooled baked goods.

(19) Frozen, ready-to-thaw-and-eat cheesecakes, fruit, and fruit toppings.

(20) Frozen dairy and nondairy frostings, toppings, and fillings.

(21) Fruit spreads, fruit toppings, and fruit syrups.

(22) Malt beverages of less than 7 percent ethanol by volume and containing fruit juice.

(23) Baked goods and baking mixes in an amount not to exceed 0.5 percent by weight of ready-to-bake products or of finished formulations prior to baking. Generally recognized as safe (GRAS) ingredients or food additives approved for use in baked goods shall be used in combination with aspartame to ensure its functionality as a sweetener in the final baked product. The level of aspartame used in these products is determined by an analytical method entitled "Analytical Method for the Determination of Aspartame and Diketopiperazine in Baked Goods and Baking Mixes," October 8, 1992, which was developed by the NutraSweet Co., and is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from the Center for Food Safety and Applied Nutrition, (HFS-200), 200 C St. SW., Washington, DC 20204, or are available for inspection at the Office of the Federal Register, 800 North Capitol St. NW., suite 700, Washington, DC.

(d) The additive may be used as a flavor enhancer in chewing gum, hard candy, and malt beverages containing less than 3 percent alcohol by volume.

(e) To assure safe use of the additive, in addition to the other information required by the Act:

(1) The principal display panel of any intermediate mix of the additive for manufacturing purposes shall bear a statement of the concentration of the additive contained therein;

(2) The label of any food containing the additive shall bear, either on the principal display panel or on the information panel, the following statement:

PHENYLKETONURICS: CONTAINS PHENYLALANINE

The statement shall appear in the labeling prominently and conspicuously as compared to other words, statements, designs or devices and in bold type and on clear contrasting background in order to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(3) When the additive is used in a sugar substitute for table use, its label shall bear instructions not to use in cooking or baking.

(4) Packages of the dry, free-flowing additive shall prominently display the sweetening equivalence in teaspoons of sugar.

(f) If the food containing the additive purports to be or is represented for special dietary uses, it shall be labeled in compliance with part 105 of this chapter.

[42 FR 14491, Mar. 15, 1977, as amended at 48 FR 31382, July 8, 1983; 49 FR 22468, May 30, 1984; 51 FR 43000-43002, Nov. 28, 1986; 53 FR 20837-20842, June 7, 1988; 53 FR 40879, Oct. 19, 1988; 53 FR 51273, Dec. 21, 1988; 54 FR 23647, June 2, 1989; 54 FR 31333, July 28, 1989; 57 FR 3702, 3703, 3704, Jan. 30, 1992; 58 FR 19771, Apr. 16, 1993; 58 FR 21097, 21098, 21099, Apr. 19, 1993; 58 FR 48598, Sept. 17, 1993; 61 FR 14480, Apr. 2, 1996]

§ 172.806 Azodicarbonamide.

The food additive azodicarbonamide may be safely used in food in accordance with the following prescribed conditions:

(a) It is used or intended for use:

(1) As an aging and bleaching ingredient in cereal flour in an amount not to exceed 2.05 grams per 100 pounds of flour (0.0045 percent; 45 parts per million).

(2) As a dough conditioner in bread baking in a total amount not to exceed 0.0045 percent (45 parts per million) by weight of the flour used, including any quantity of azodicarbonamide added to flour in accordance with paragraph (a)(1) of this section.

(b) To assure safe use of the additive:

(1) The label and labeling of the additive and any intermediate premix prepared therefrom shall bear, in addition to the other information required by the Act, the following:

(i) The name of the additive.

(ii) A statement of the concentration or the strength of the additive in any intermediate premixes.

(2) The label or labeling of the food additive shall also bear adequate directions for use.

§ 172.808 Copolymer condensates of ethylene oxide and propylene oxide.

Copolymer condensates of ethylene oxide and propylene oxide may be safely used in food under the following prescribed conditions:

(a) The additive consists of one of the following: